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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/966,829	09/28/2001	David B. Kumhyr	AUS920010400US1	5006
35617	7590	01/26/2005	EXAMINER	
DAFFER MCDANEIL LLP			FLEURANTIN, JEAN B	
P.O. BOX 684908			ART UNIT	
AUSTIN, TX 78768			PAPER NUMBER	

2162

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/966,829

**Applicant(s)**

KUMHYR ET AL.

**Examiner**

JEAN B. FLEURANTIN

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,7,8,11-19,21-23 and 26-29 is/are rejected.
- 7) ☒ Claim(s) 2-6,9,10,20,24 and 25 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

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***Response to Amendment***

1. Claims 1-29 remain pending for examination.

***Response to Applicant' Remarks***

2. In response to applicant's argument filed on 21 July 2005, in which Applicants elect Group I, claims 1-29 for further examination. And with respect to Applicant's arguments filed 14 April 2004 have been fully considered but, have been found persuasive the extent that prior art of record does not specifically disclose "a desired communications application to be used for the session, wherein the desired communications application is selected from multiple communications applications available for use in the session." However, Yasuda discloses such limitations.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless-

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351 (a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 27, 28 and 29 are rejected under 35 U.S.C. 102(e) as being by U.S.

Patent No. 6,584,466 issued to Serbinis et al. ("hereinafter Serbinis").

As per claim 27, Serbinis discloses "a computer-usable carrier medium" an Internet based document management method that permits users to access a plurality of services supported by a common Internet based database (see cot. 2, lines 53-56), "comprising a data structure storing multiple sets of participant identifiers" as user information tables contain user information (registered) including user 1D and password and user notification information (see cot. 6, lines 35-39), "each effective to identify a potential participant in a computer-based communications session" as the registrant receives a notification with instruction authorization, in which the registrant is given instructions to authenticate his credentials (see cot. 18, lines 29-30; cot. 17, lines 24-25) "to each of multiple communications applications available for use in the communications session" as computers connect to server computer, in which dispatches notifications, via voice message, e-mail, pagers to users of document management services system concerning the status of documents stored in the document management services system (col. 5, line 63 to cot. 6, line 1).

As per claim 28, Serbinis discloses "wherein the data structure further stores role or permission information corresponding to each potential participant" as computers connect to server computer, in which dispatches notifications, via voice message, e-mail, pagers to users of document management services system concerning the status of documents stored in the document management services system (col. 5, line 63 to col. 6, line 1).

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As per claim 29, Serbinis discloses "wherein the data structure comprises an object or class in an object-based programming approach, and each set of participant identifiers is within a respective additional object" as the file system may assign a unique name to each document and the document stored directly on the hard drive (see col. 5, lines 59-62).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 7, 8, 11-19, 21-23 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,584,466 issued to Serbinis et al. ("hereinafter Serbinis") in view of U.S. Patent No. 5,887,136 issued to Yasuda et al. ("hereinafter Yasuda").

As per claim 1, Serbinis discloses "a method of establishing a computer-based communication session involving a user of a computer" an Internet based document

management method that permits users to access a plurality of services supported by a common Internet based database (see col. 2, lines 53-56), said method comprising:

"receiving from the user notification of a desired participant in the communication session" as the registrant receives a notification with instruction authorization, in which the registrant is given instructions to authenticate his credentials (see col. 18, lines 29-30; col. 17, lines 24-25);

"retrieving a participant identifier effective to identify the desired participant to the desired communications application" as a means of attempting to retrieve the file must provide the same information to permit the document management services system to generate the session key (see col. 11, lines 16-18);

"and providing the retrieved participant identifier to the communications application" as the authorized user is identified by the document management services system as a registered user, in which the user submits his credentials, once the credentials are authenticated the user is provided access to the documents (see col. 12, lines 60-64). Serbinis fails to explicitly disclose the claimed a desired communications application to be used for the session. However, Yasuda discloses the claimed receiving an input of a user in a communication request including information relative to at least one called user desiring communication and more media (see Yasuda col. 21, lines 21-32. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combined teachings of Serbinis and Yasuda with a desired communications application to be used for the session. Such modification would allow the teachings of Serbinis and Yasuda to improve the accuracy and the

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reliability of the method, system and program for switching between various computers-based communication techniques, and to provide a reserve function which reserves the resources of terminals constituting a communication service (see Yasuda col. 52, lines 58-59).

As per claim 7, Serbinis discloses "wherein said retrieving comprises accessing a data structure storing the participant identifier" as user information tables 62 have entries for information relating to users registered to access and use the document management services system, in which including user ID and passwords (see col. 6, lines 35-38).

As per claim 8, Serbinis discloses "wherein said receiving comprises receiving required participant permission or role information, and wherein said retrieving further comprises verifying participant or role information stored in the data structure" as database 25 includes a plurality of tables, in which each table includes information on a document's parent document group, and information on the transport method to be used for retrieval of a document instance (see col. 6, lines 20-34).

As per claim 11, Serbinis discloses "the method further comprising retrieving a user identifier appropriate to identify the user to the desired communications application" (see col. 6, lines 35-38).

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As per claim 12, Serbinis discloses "the method further comprising retrieving a password effective to allow access of the user to the desired communications application" as user information tables 62 have entries for information relating to users registered to access and use the document management services system, in which including user ID and passwords (see col. 6, lines 35-38).

As per claim 13, Serbinis discloses "a system for computer-based communications" an Internet based document management method that permits users to access a plurality of services supported by a common Internet based database (see col. 2, lines 53-56), comprising:

"means for receiving, from a user of a computer, notification of a desired participant in a communications session" as the registrant receives a notification with instruction authorization, in which the registrant is given instructions to authenticate his credentials (see col. 18, lines 2930; col. 17, lines 24-25);

"means for retrieving a participant identifier appropriate to identify the desired participant to the desired communications application" as a means of attempting to retrieve the file must provide the same information to permit the document management services system to generate the session key (see col. 11, lines 16-18); and

"means for providing the retrieved participant identifier to the communications application" as the authorized user is identified by the document management services system as a registered user, in which the user submits his credentials, once the credentials are authenticated the user is provided access to the documents, (see col.



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12, lines 60-64). Serbinis fails to explicitly disclose the claimed a desired communications application to be used for the session. However, Yasuda discloses the claimed receiving an input of a user in a communication request including information relative to at least one called user desiring communication and more media (see Yasuda col. 21, lines 21-32. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combined teachings of Serbinis and Yasuda with a desired communications application to be used for the session. Such modification would allow the teachings of Serbinis and Yasuda to improve the accuracy and the reliability of the method, system and program for switching between various computers-based communication techniques, and to provide a reserve function which reserves the resources of terminals constituting a communication service (see Yasuda col. 52, lines 58-59).

As per claim 14, Serbinis discloses "wherein said means for receiving, means for retrieving and means for providing comprise a communications aggregation program stored on a storage medium within the system" as a plurality of services supported by a common database and document store (see cot. 3, lines 26-27).

As per claim 15, Serbinis discloses "wherein the storage medium is within or accessible by the computer" as database stores data concerning documents controlled by server computer (see cot. 5, lines 26-28).

As per claim 16, Serbinis discloses "wherein the storage medium is within or accessible by an additional computer" as database stores data concerning documents controlled by server computer (see col. 5, lines 26-28).

As per claim 17, Serbinis discloses, "wherein the communications aggregation program is adapted to access a data structure including the participant identifier" as user information tables have entries for information relating to users registered to access and use the document management services system, in which including user ID and passwords (see col. 6, lines 3538).

As per claim 18, Serbinis discloses, wherein the data structure is stored on or accessible by an additional computer" as database stores data concerning documents controlled by server computer (see col. 5, lines 26-28).

As per claim 19, Serbinis discloses, "wherein the communications aggregation program is further adapted to display on a display screen of the computer a graphical user interface including representations of multiple communications applications accessible using the computer and of multiple potential participants in a communications session" as a user enters information into a form displayed in a web browser, in which the information is transferred to server computer using http and is made available to the programmed routines executing on server computer 20 through the common gateway interface (see col. 5, lines 1-10).

As per claim 21, Serbinis discloses, "the system further comprising means for retrieving a user identifier appropriate to identify the user to the desired communications application" as the authorized user is identified by the document management services system as a registered user, in which the user submits is credentials, once the credentials are authenticated the user is provided access to the documents (see col. 12, lines 60-64).

As per claim 22, Serbinis discloses "a computer-usable carrier medium" an Internet based document management method that permits users to access a plurality of services supported by a common Internet based database (see col. 2, lines 53-56), comprising:

"first program instructions executable on a computer for receiving, from a first participant, notification of a desired additional participant in a communication session" as the registrant receives a notification with instruction authorization, in which the registrant is given instructions to authenticate his credentials (see col. 18, lines 29-30; col. 17, lines 24-25);

"second program instructions executable on the computer for retrieving a participant identifier appropriate to identify the desired additional participant to the desired communications application" as a means of attempting to retrieve the file must provide the same information to permit the document management services system to generate the session key (see col. 11, lines 16-18);

"and third program instructions executable on the computer for providing the retrieved participant identifier to the communications application" as the authorized user is identified by the document management services system as a registered user, in which the user submits is credentials, once the credentials are authenticated the user is provided access to the documents (see col. 12, lines 60-64). Serbinis fails to explicitly disclose the claimed a desired communications application to be used for the session. However, Yasuda discloses the claimed receiving an input of a user in a communication request including information relative to at least one called user desiring communication and more media (see Yasuda col. 21, lines 21-32. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combined teachings of Serbinis and Yasuda with a desired communications application to be used for the session. Such modification would allow the teachings of Serbinis and Yasuda to improve the accuracy and the reliability of the method, system and program for switching between various computers-based communication techniques, and to provide a reserve function which reserves the resources of terminals constituting a communication service (see Yasuda col. 52, lines 58-59).

As per claim 23, Serbinis discloses "the first, second and third program instructions are within a communications aggregation program stored on the carrier medium' as computers connect to server computer, in which dispatches notifications, via voice message, e-mail, pagers to users of document management services system

concerning the status of documents stored in the document management services system (col. 5, line 63 to col. 6, line 1)

As per claim 26, Serbinis discloses "the carrier medium further comprising fourth program instructions executable on the computer for retrieving a first participant identifier appropriate to identify the first participant to the desired communications application" as the authorized user is identified by the document management services system as a registered user, in which the user submits is credentials, once the credentials are authenticated the user is provided access to the documents (see col. 12, lines 60-64).

***Allowable Subject Matter***

5. Claims 2-6, 9, 10, 20, 24 and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art of record does not teach or suggest in combination with other elements, wherein said receiving comprises detecting selection of an icon within a graphical user interface displayed using the computer as recited in claim 2.

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The prior art of record does not teach or suggest in combination with other elements, wherein said representations comprise icons, and wherein the communications aggregation program is adapted to detect a combined selection of a first icon representing a desired communications application and a second icon representing a desired participant as recited in claim 20.

6. The closest prior art, Ebrahim U.S. Patent No. 5,859,639 relates to presentation of visible desktop objects in a graphical user interface. Reed et al. U.S. 5,862,325 relates to data communications systems. Lee et al. U.S. Patent No. 5,937,163 relates to communications networks. Serbinis et al. U.S. Patent No. 6,314,425 relates to apparatus and methods for use of access tokens in a system for managing electronic documents over open networks but fail to teach the above limitations.

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### CONTACT INFORMATION


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JEAN B. FLEURANTIN whose telephone number is 571 – 272-4035. The examiner can normally be reached on 7:05 to 4:35.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOHN E BREENE can be reached on 571 – 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Jean Bolte Fleurantin

January 11, 2005

  
SHAHID ALAM  
PRIMARY EXAMINER